

Substitute for Form
TO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

030685-050

U.S. APPLICATION NO. (Unknown, see 37 CFR 1.5)

107519979

INTERNATIONAL APPLICATION NO.

PCT/JP03/08481

INTERNATIONAL FILING DATE

03 July 2003 (03.07.2003)

PRIORITY DATE CLAIMED

03 July 2002 (03.07.2002)

TITLE OF INVENTION

NOVEL FLAVONE C-GLYCOSIDE DERIVATIVES AND COMPOSITIONS CONTAINING THE DERIVATIVES

APPLICANT(S) FOR DO/EO/US

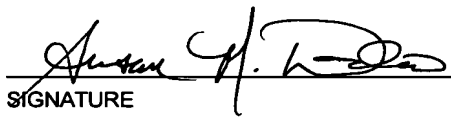
Yoshiyuki ISHIKURA, Kuniro TSUJI and Haruo NUKAYA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission to items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 21 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: 1) Application Data Sheet, 2) General Authorization for Petitions for Extensions of Time and Payment of Fees, 3) Form PCT/IB/304, 4) Form PCT/IB/332, 5) Form PCT/IB/308, 6) Form PCT/IPEA/416 (in Japanese), 7) Copy of International Search Report (Form PCT/ISA/210), and 8) a copy of the PCT Request (attached to the Verification of Translation of the International Application).

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|---|--------------|---|-----------------------------|
| U.S. APPLICATION NO. 10/519979 INTERNATIONAL APPLICATION NO. PCT/JP03/08481 | | ATTORNEY'S DOCKET NUMBER 030685-050 | |
| 21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>SUNTORY LIMITED, Osaka, Japan.</u> | | CALCULATIONS PTO USE ONLY | |
| 22. <input checked="" type="checkbox"/> The following fees are submitted: | | | |
| Basic Filing Fee (1631) | | \$ 300.00 | |
| Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE \$ |
| Total Claims | 14 - 20 = | 0 | x \$50.00 (1615) \$ 0.00 |
| Independent Claims | 2 - 3 = | 0 | x \$200.00 (1614) \$ 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 (1616) |
| Examination Fee | | | + \$200.00 (1633) \$ 200.00 |
| Search Fee | | | + \$500.00 (1632) \$ 500.00 |
| App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets) | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | \$ 1,000.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | + | \$ 0.00 |
| SUBTOTAL = | | | \$ 1,000.00 |
| Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 | | | \$ 0.00 |
| TOTAL NATIONAL FEE = | | | \$ 1,000.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property + | | | |
| TOTAL FEES ENCLOSED = | | | \$ 1,000.00 |
| | | Amount to be refunded : | |
| | | charged : | |
| a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. | | | |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of <u>\$ 1,000.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed. | | | |
| d. <input type="checkbox"/> Charge _____ to credit card. Form PTO-2038 is attached. | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | |
| SEND ALL CORRESPONDENCE TO: | | | |
| Burns, Doane, Swecker & Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620 | |  SIGNATURE | |
| | | Susan M. Dadio NAME | |
| | | 40,373 REGISTRATION NO. | January 3, 2005 DATE |

10/519979

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|------------------------------|
| In re Patent Application of |) | |
| Yoshiyuki Ishikura et al. |) | Group Art Unit: Unassigned |
| Application No.: Unassigned |) | Examiner: Unassigned |
| Filed: January 3, 2005 |) | Confirmation No.: Unassigned |
| For: NOVEL FLAVONE C-GLYCOSIDE |) | |
| DERIVATIVES AND COMPOSITIONS |) | |
| CONTAINING THE DERIVATIVES |) | |

GENERAL AUTHORIZATION FOR PETITIONS
FOR EXTENSIONS OF TIME AND PAYMENT OF FEES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.136(a)(3), the U.S. Patent and Trademark Office is hereby provided with a general authorization to treat any concurrent or future reply requiring a petition for an extension of time for its timely submission as containing a request therefor for the appropriate length of time.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: January 3, 2005

By:


Susan M. Dadio
Registration No. 40,373

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620